

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

1987 Tamposi Limited Partnership,)
)
Plaintiff,)
)
v.)
)
Department of Transportation,)
Federal Aviation Administration, et al.)
)
Defendants.)
_____)

Case No. 24-cv-00167

DEFENDANT’S MOTION TO DISMISS
PURSUANT TO RULE 12(b)(1)

Pursuant to Federal Rule of Civil Procedure 12(b)(1), the United States of America, on behalf of the Department of Transportation, Federal Aviation Administration (“FAA”), moves this Court to dismiss Plaintiff’s Petition to Quiet Title (DN 1-1). Because it fails to allege sufficient facts to establish subject matter jurisdiction, and because the statute of limitations for this quiet title action expired years ago, the Court should dismiss Plaintiff’s Petition.

In support of its Motion, the FAA refers the Court to the attached memorandum of law and the record of this litigation.

Therefore, this Court should dismiss Plaintiff’s Petition.

Respectfully submitted,

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United States Attorney

By: /s/ Michael McCormack
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Dated: June 13, 2024

CERTIFICATE OF SERVICE

I certify that on this 13th day of June, 2024, a copy of the foregoing Motion and supporting Memorandum were served, via email, on counsel for Plaintiff and all counsel who have appeared for Defendants.

By: /s/ Michael McCormack
Michael McCormack